

E-filed 7/12/07

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 Attorneys for Plaintiffs,
 KARLONG CHAN, a minor, by and through his
 Guardian Ad Litem, YUEN CHONG CHAN; and
 YUEN CHONG CHAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

KARLONG CHAN, a minor, by and
 through his Guardian Ad Litem, YUEN
 CHONG CHAN; and YUEN CHONG
 CHAN, aka EVA CHAN,

 Plaintiffs,

 v.

 CUPERTINO UNION SCHOOL
 DISTRICT, a California School District;
 et al.,

 Defendants.

Case No. C07-01837 HRL

**STIPULATION AND AMENDED
 ORDER CONTINUING THE MOTION
 TO DISMISS COMPLAINT FOR
 DAMAGES AND MOTION TO STRIKE**

Plaintiffs, KARLONG CHAN (“KARLONG”), a minor, by and through his Guardian Ad
 Litem, YUEN CHONG CHAN, and YUEN CHONG CHAN, aka EVA CHAN (“EVA”), and
 Defendants, CUPERTINO UNION SCHOOL DISTRICT (“CUSD”), RUSS OTTEY
 (“OTTEY”), SARAH CROWE, (“CROWE”), COUNTY OF SANTA CLARA (“COUNTY”),
 EMQ CHILDREN AND FAMILY SERVICES (“EMQ”), RODERICK J. MACKENZIE, JR.
 (“MACKENZIE”), CARLOS AGUILA (“AGUILA”) by and through their respective attorneys
 of record, hereby stipulate that the hearing on Defendants, CUSD, OTTEY, CROWE, COUNTY,
 EMQ, AGUILA and MACKENZIE’s Motion to Dismiss Complaint for Damages and Motion to
 Strike currently set for August 14, 2007 at 10:00 a.m. be continued until August 21, 2007, or as

soon thereafter as available, at 10:00 a.m. in Courtroom 2, 5th floor of the United States District Court, 280 South First Street, San Jose, CA.

Dated: July 10, 2007

CAMPBELL, Warburton, Fitzsimmons,
Smith, Mendell & Pastore

By: /s/
J. Michael Fitzsimmons
Kelly M. Laughrin,
Attorneys for Plaintiffs,
KARLONG CHAN and EVA CHAN

Dated: July 10, 2007

NEEDHAM, Davis, Kepner & Young, LLP

By: /s/
Mark Davis
Attorney for Defendants, CUPERTINO UNION
SCHOOL DISTRICT, RUSS OTTEY, and
SARAH CROWE

Dated: July 10, 2007

ERICKSEN, Arbuthnot, Kilduff, Day &
Lindstrom, Inc.

By: /s/
Sharon L. Hightower
Attorneys for Defendants,
COUNTY OF SANTA CLARA, EMQ CHILDREN AND
FAMILY SERVICES, RODERICK J. MACKENZIE, JR.,
and CARLOS AGUILA

AMENDED ORDER

Pursuant to stipulation of the parties, IT IS ORDERED that the hearing on Defendants', CUSD, OTTEY, CROWE, COUNTY, EMQ, AGUILA and MACKENZIE's, Motions to Dismiss Complaint for Damages and Motions to Strike, currently set for August 14, 2007 at 10:00 a.m., is continued until **August 21, 2007 at 10:00 a.m.** in Courtroom 2, 5th floor of the United States District Court, San Jose, CA. The briefing schedule is unchanged.

Dated: 7/12/07

By: 
HON. HOWARD R. LLOYD
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT

PURSUANT TO GENERAL ORDER 45,

I, Kelly M. Laughrin, the ECF User transmitting and filing this Stipulation and [Proposed] Order Continuing the Motion to Dismiss Complaint for Damages and Motion to Strike, attest that I have obtained the concurrence of Sharon L. Hightower and Mark Davis on this filing. I declare under penalty of perjury.

Dated: July 10, 2007 CAMPBELL, Warburton, Fitzsimmons,
SMITH, MENDELL & PASTORE

By: /s/
J. Michael Fitzsimmons
Kelly M. Laughrin,
Attorneys for Plaintiffs,
KARLONG CHAN and EVA CHAN